

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: AVANDIA MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

**MDL No. 1871
07-md-01871**

THIS DOCUMENT APPLIES TO:

Humana v. GlaxoSmithKline

10-6733

ORDER

AND NOW, this 13th day of June, 2011, upon review of Defendant's Motion to Dismiss [Doc. No. 8], Plaintiff's Response [Doc. No. 9], Defendant's Reply [Doc. No. 15], and Plaintiff's Sur-Reply [Doc. No. 16], as well as the Plaintiffs' Steering Committee's Amicus brief [Doc. No. 19] and Humana's Response thereto [Doc. No. 22], and after an oral argument held on May 4, 2011, and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. Plaintiff's Complaint is **DISMISSED**. The Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

It is so ORDERED.

BY THE COURT:


CYNTHIA M. RUFE, J.